## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,		)
	Plaintiff,	) 8:15MJ105 )
	vs.	DETENTION ORDER
JOSUE GONZALEZ-VALDES,		
	Defendant.	
A.	Order For Detention After waiving a detention hearing pursua Act on April 20, 2015, the Court orders the to 18 U.S.C. § 3142(e) and (i).	ant to 18 U.S.C. § 3142(f) of the Bail Reform e above-named defendant detained pursuant
B.	The Court orders the defendant's detent  X By a preponderance of the even conditions will reasonably assure  X By clear and convincing evidence	
C.	contained in the Pretrial Services Repor  X (1) Nature and circumstances of  X (a) The crime: the possemethamphetamine (C carries a minimum semaximum of forty year  (b) The offense is a crime  (c) The offense involves a	the offense charged: ession with intent to distribute cocaine and ount I) in violation of 21 U.S.C. § 841(a)(1) entence of five years imprisonment and a rs imprisonment. e of violence.
	may affect wh  X The defendar  The defendar  ties.  Past conduct  The defendar  The defendar  The defendar  The defendar  The defendar  Court proceed	nt appears to have a mental condition which nether the defendant will appear. In the no family ties in the area. In the no steady employment. In the no substantial financial resources. In the notal long time resident of the community. In the defendant:  In the defendant:  In the defendant:  In the defendant:  In the notal long time to drug abuse.  In the notal long time to alcohol abuse.  In the notal long time to appear at

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Release pending trial, sentence, appeal or completion of sentence.	
(c) Other Factors:	
<u>X</u> The defendant is an illegal alien and is subject to deportation.	
The defendant is a legal alien and will be subject to	
deportation if convicted.  X The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.  Other: A search warrant executed at the defendant's residence on April 15, 2015, resulted in the seizure of five pounds of cocaine, twelve ounces of methamphetamine,	
\$30,000.00 in cash and a .40 caliber defaced handgun.	
X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the charges in the Criminal Complaint and the defendant's substance abuse and criminal history.	
X (5) Rebuttable Presumptions	
In determining that the defendant should be detained, the Court also relied	
on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142	
which the Court finds the defendant has not rebutted:	
X (a) That no condition or combination of conditions will reasonably	
assure the appearance of the defendant as required and the safety	
of any other person and the community because the Court finds that	
the crime involves:	
(1) A crime of violence; or	
(2) An offense for which the maximum penalty is life	
imprisonment or death; or  X (3) A controlled substance violation which has a maximum	`
penalty of 10 years or more; or	'
(4) A felony after the defendant had been convicted of two	)
or more prior offenses described in (1) through (3)	•
above, and the defendant has a prior conviction for one	
of the crimes mentioned in (1) through (3) above which	
is less than five years old and which was committed	
while the defendant was on pretrial release.	
X (b) That no condition or combination of conditions will reasonably	
assure the appearance of the defendant as required and the safety	
of the community because the Court finds that there is probable	
cause to believe:	
X (1) That the defendant has committed a controlled	
substance violation which has a maximum penalty of	
10 years or more. (2) That the defendant has committed an offense under 1	R
U.S.C. § 924(c) (uses or carries a firearm during and in	J
relation to any crime of violence, including a crime of	
violence, which provides for an enhanced punishment	
if committed by the use of a deadly or dangerous	
weapon or device).	

D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from

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- persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: April 20, 2015.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge